

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

RECEIVED

JUL - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Implementation of the)	CC Docket No. 96-115
Telecommunications Act of 1996:)	
)	
Telecommunications Carriers' Use)	
of Customer Proprietary Network)	
Information and Other)	
Customer Information)	
)	
Implementation of the Non-Accounting)	CC Docket No. 96-149
Safeguards of Sections 271 and 272)	
of the Communications Act of 1934,)	
as Amended)	

**REPLY COMMENTS OF SBC COMMUNICATIONS INC.
TO PETITIONS FOR RECONSIDERATION AND/OR FORBEARANCE**

SBC Communications, Inc. ("SBC"),¹ on behalf of itself and its subsidiaries, hereby files these reply comments regarding the various PFRs and petitions for forbearance filed in response to the Commission's February, 1998 CPNI Order.² In these comments, SBC principally urges the Commission to direct its immediate attention to matters most important to the industry and consumers, and to focus on other matters thereafter.

¹This pleading refers to the parties by the abbreviations used by them in their comments on petitions for reconsideration ("PFRs") and/or petitions for forbearance.

²Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information, CC Docket No. 96-115, Second Report and Order, released February 26, 1998, DA 98-27 ("CPNI Order" or "Order").

I. A SUGGESTED APPROACH FOR COMMISSION ACTION -- RULE ON TWO ITEMS DEFINITELY AND SWIFTLY; RULE ON OTHERS LATER.

Few Commission orders have spurred the filing of as many pleadings, so quickly after issuance of an order, as has the CPNI Order. Within just over three months, SBC alone has filed six separate pleadings,³ and a plethora of other parties have filed dozens more pleadings, including at last count over two dozen PFRs. The multitude of petitions pressed before the Commission, and the comments on them, clearly reflect frustration and confusion generated by certain fine-line distinctions drawn in the CPNI Order (all of which pertained to a self-effectuating section of the Act); none of these problematic distinctions were alleviated by the Commission's subsequent Clarification Order.⁴ The concerns are industry-wide, affecting all participants -- wireless and wireline carriers, ILECs, resale and facility-based CLECs, IXCs, their agents, and the customers (and their agents) they serve.

In approaching these pleadings and issues presented by them, it is evident that Commission action is most pressing in two key areas. First, Commission action is needed with respect to the use of CPNI by carriers in connection with customer premises equipment ("CPE")

³Apart from the instant pleading, these are SBC's Comments on FNPRM, filed March 30, 1998; Reply Comments of SBC on FNPRM, filed April 14, 1998; SBC's Comments in Support of the Petition for Temporary Forbearance or Stay of GTE Service Corporation, and the Request for Deferral and Clarification of Cellular Telecommunications Industry Association; and Petition for Temporary Forbearance or Deferral of SBC, filed May 8, 1998; Reply Comments of SBC in Support of the Petition for Temporary Forbearance or Stay of GTE Service Corporation, and the Request for Deferral and Clarification of Cellular Telecommunications Industry Association, filed May 13, 1998; Petition for Reconsideration of SBC, filed May 26, 1998; Comments of SBC on Petitions for Reconsideration of the CPNI Order, and Alternative Petition for Forbearance of SBC, filed June 25, 1998.

⁴DA 98-971, released May 21, 1998.

and enhanced/information (“information”) services. Second, Commission action is needed so as to relieve the telecommunications industry of significant economic and other burdens associated with the Commission’s “electronic audit” safeguard. Importantly, these two action items are in need of definitive and swift resolution by the Commission.

The first action item requires that the Commission allow carriers to use, access and disclose CPNI to market and sell CPE and information services. Moving positively on this item will eliminate great customer and carrier frustration caused by the CPNI Order’s application to these services.⁵ As it is, the Order burdens and inconveniences the customer-carrier dialogue about services and products which long ago have been packaged as one by carriers.

Notwithstanding the “separate and distinct” anti-bundling rule and Commission orders, carriers have for many years been able to package telecommunications services, CPE and information services, to meet customers’ needs and desires for customers; moreover, wireless carriers have no bundling restrictions at all. Thus, for many years, the Commission’s signal to the public has been that packaging is useful and desirable.

Now, however, the Commission requires that the public be told that their carrier can’t use information about one piece of the package to offer the counterpart piece of the package. Most assuredly, the public and carriers have good cause for being frustrated and confused, as a wedge has been created that unnecessarily, and very unwisely, splits apart the packages customers want

⁵Such is apparent even to those whose points are otherwise adverse to those of SBC. See, e.g., e.spire, at 6 (“The prohibition against the use of CPNI to market CPE and information services “undermines the basic carrier-customer relationship by depriving customers of the benefits of the seamless provision of telecommunications and related services. . . . Customers do not make the same distinctions between telecommunications products and services that regulators and lawyers make.”).

and carriers have provided. And that is truly unfortunate, particularly given legal interpretations pressed by the parties that would allow the Commission to eliminate the problem and given the lack of any meaningful resistance to the proposal. The Commission should act now to turn this aspect of the CPNI Order around.

The second action item requires that the Commission eliminate the electronic audit safeguard imposed by the CPNI Order. The Commission's remaining safeguards already constitute a sufficient arsenal of weaponry to combat unlawful "casual" perusal of customer accounts, as well as afford a means of documentation that would either support or refute claimed deliberate carrier CPNI violations."⁶ Moreover, so far as SBC can discern from the pleadings filed, no commenter in this proceeding supports this safeguard, while every commenter who has spoken to it has roundly criticized it.

Consequently, the aspect of the CPNI Order imposing this safeguard should also be turned around -- and soon, because necessary design and implementation plans must be finalized within the next month or so to minimize what is already expected to be a clash with Y2k implementation efforts. Alternatively, the Commission should stay its electronic audit safeguard until at least eight months after it rules on the PFRs devoted to the subject, as Ameritech recommends.⁷ This would be a cost-effective and otherwise reasonable approach given the

⁶CPNI Order, ¶199.

⁷Ameritech, at 3.

hundreds of millions of dollars that would be expended were the Commission to provide no relief whatsoever from this safeguard at this particularly important time.⁸

Other matters, less weighty in their concern to the public's and carriers' interests, can be ruled on in due course after the Commission takes action on the above two items. While important, these remaining subjects -- the contents of CPNI notifications, forms of approval, winback and retention, carriers' rights under Section 222(d) with respect to CPNI held by them, curing the confusion between when a given item of information is CPNI and not carrier information, the lack of any Section 272(c)(1) "overlay" upon Section 222(c)(1), and reasonably allowing carriers to treat pre-Act "prior written approvals" to stand as post-Act approvals -- do not rise to the same level of significance.

II. A CUSTOMER'S NAME, ADDRESS AND TELEPHONE NUMBER IS PART OF A CARRIER'S BUSINESS RECORDS AND IS NOT CPNI.

Intermedia claims that the Commission erred in its Clarification Order by concluding that carriers are entitled to use a customer's name, address and telephone number without any Section 222 implications.⁹ However, other than crying competitive foul, Intermedia presents no specific reason why its view should be adopted. It does not attack the Commission's correct conclusion that this information is part of a carrier's business record, nor does it take issue with the Commission's conclusion that this information does not fall within the statutory definition of

⁸See, e.g., AT&T, at 14 (estimating compliance costs of \$1 billion to the telecommunications industry, and involving the same resources and systems as Y2k efforts, thus potentially jeopardizing a critical national initiative).

⁹Intermedia, at 4.

CPNI stated in Section 222(f)(1)(B).¹⁰ Indeed, Intermedia doesn't even bother to explain how such elemental information could ever be regarded as "proprietary" to a CLEC under Section 222(b), and thus forbidden to the use of an ILEC. Nor does it explain how the Commission could do so without also eliminating the rights of other carriers to use the same information under a statute which on its face "applies to all carriers equally."¹¹

The fact is that a customer's name, address and telephone number do constitute a viable and important part of a firm's business records. The fact that such information might be used by that firm, whether an ILEC, or any other telecommunications or non-telecommunications firm, is thoroughly pro-competitive. Although Congress created many opportunities for firms to enter and thrive in the telecommunications business, it emphatically did not impose a gag order upon ILECs to prevent them from contacting customers to offer them competing services at competitive prices. Intermedia is no less entitled to use its lists to contact customers as any other carrier, and no carrier has less rights than Intermedia in this regard under Section 222.

III. USE OF CPNI FOR WINBACK EFFORTS IS CONSISTENT WITH THE TOTAL SERVICE APPROACH AND IS PRO-COMPETITIVE.

ALTS makes three arguments that ILEC use of CPNI for winback efforts should remain prohibited¹² notwithstanding the lack of any legal or policy reason that would justify such a specialized prohibition. Sprint argues that while all carriers should be permitted to use CPNI in a winback context, only ILECs should be barred from such use in a retention context, i.e., before a

¹⁰Clarification Order, ¶9.

¹¹CPNI Order, ¶49 (emphasis added).

¹²ALTS, at 3-5.

customer's switch to another service provider is implemented.¹³ None of these arguments can be sustained.

ALTS' first argument, making much ado about the fact that Congress did not expressly "authorize" such use, means nothing. Such use is nonetheless consistent with the language of Section 222(c)(1) and the Commission's treatment of the term "provision" as tantamount to "marketing."¹⁴ In fact, there is no indication that Congress intended to "authorize" such use as only as to ILECs, yet ALTS' preferred result in this context likewise hinges to no less extent upon a lack of specific statutory language. And, ALTS' conclusory statement that ILECs' winback efforts are "based not upon competitive goals, but the deterrence of new entrants"¹⁵ lacks any factual foundation whatsoever.¹⁶ ALTS cites no instance in which such an effort was other than one based on service and/or price, and thus pro-competitive.

¹³Sprint, at 4.

¹⁴SBC PFR, at 9-10.

¹⁵ALTS, at 3.

¹⁶Similarly lacking in any factual foundation (and not found in the CPNI Order) is the statement that "[t]he FCC declared that: use or disclosure of customer information that unreasonably favors the incumbent LEC to the disadvantage of the competing LEC. . . is a discriminatory, anti-competitive practice prohibited under Section 201(b) of the Act." Allegiance Telecom, at 9; Commonwealth, at 9; Focal, at 9; KMC, at 9. If anything is apparent from the CPNI Order in regards to CPNI use for winback efforts, it is only the Commission's carefully measured statement that "section 201(b) remains fully applicable where it is demonstrated that carrier behavior is unreasonable and anticompetitive." CPNI Order, n. 316. This statement purposefully, and prudently, announces no bright-line rules, imposes no special obligations upon ILECs, and surely cannot be read to state that Section 201 trumps Section 222. Those who would read the statement otherwise necessarily do so given their inability, or unwillingness, to make out the facts that would give rise to a potential Section 201 claim.

ALTS' second argument, that the Commission utilized customers' expectations in interpreting Section 222(c)(1), but not in Section 222(d)(1), makes precisely the point made by SBC and other commenters.¹⁷ The reasonable expectation of customers that a business may use CPNI to attempt to win them back is legitimate and should be honored no less under Section 222(c)(1) than the use of the same CPNI to attempt to sell (i.e., "provision") a new and different service offering to the same customer.

ALTS' third claim, that Section 222's application in favor of a non-customer is "an undefensible stretch," is itself an indefensible stretch.¹⁸ Essentially, ALTS only parrots the Commission's conclusions in this regard. ALTS nowhere explains how the fact that local service CPNI may be used to "provision" discretionary additional-cost services (including, for example, Caller ID, ISDN, and call waiting) squares with ALTS' view that CPNI should not be used to provision the basic service that allows one to place a wireline telephone call at a reasonable, competitive price. Notwithstanding the conflict, all of these services may be regarded as "categories of service to which customers do not subscribe."¹⁹

Sprint, not content to add an ILEC/non-ILEC dichotomy into Section 222(c)(1), compounds its error by seeking to add but another, arguing that the statute should be read to

¹⁷ALTS, at 4.

¹⁸Id., at 4-5.

¹⁹Id., at 5. Thus, SBC's quotation of the Commission's CPNI Order, criticized by ALTS, properly emphasized the fact that the Commission interpreted the term "provision" in Section 222(c)(1) to mean "market and sell." Further, there is no warrant in the statute for bifurcating the use of CPNI so as to permit its use in connection with "existing" customers but not "former" customers.

permit ILECs' use of CPNI for winback efforts but bar ILECs' use of CPNI for retention efforts.²⁰ Its argument in support of the former freedom is persuasive, but its argument in favor of the latter bar must fail.

First, it would engraft a distinction (retention vs. winback) into Section 222 never sanctioned by Congress. There are simply no words in the statute that would support such a distinction nor, to SBC's knowledge, any supportive legislative history. Second, there is no reason why this "timing" of the use of CPNI should matter. If, as SBC would submit, the use of CPNI can result in the offering of a competitive service package at a competitive price, what is the justification for bringing these matters to the customer's attention only after the customer has actually switched to another carrier? In such an instance, that customer may be needlessly inconvenienced by having to terminate service with the "new" provider so as to take up the original carrier on an offer that would have been available to act on even before the switch. Sprint never addresses this significant practical disadvantage that would necessarily accompany adopting its proposal.

IV. CONCLUSION


SBC urges the Commission to first direct its attention to conclusively and expeditiously resolving the two issues of greatest importance -- by granting the PFRs and/or petitions for forbearance both with respect to the use of CPNI for information services, and with respect to eliminating the electronic audit safeguard. These two issues are significantly different in kind

²⁰Sprint, at 4.

and degree from all others. After the Commission rules on these issues, it may then consider the multitude of various commenters' points regarding the remainder of the CPNI Order.

Respectfully submitted,

SBC Communications Inc.

By 
Robert M. Lynch
Durward D. Dupre
Michael J. Zpevak
Robert J. Gryzmala

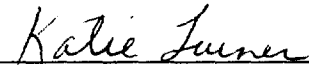
Attorneys for
SBC Communications Inc.

One Bell Center, Room 3532
St. Louis, Missouri 63101
(314) 235-2515

July 8, 1998

CERTIFICATE OF SERVICE

I, Katie Turner, hereby certify that the foregoing, "REPLY COMMENTS OF SBC COMMUNICATIONS INC. ," in CC Docket Nos. 96-115 and 96-149 have been filed this 8th day of July, 1998 to the Parties of Record.

A handwritten signature in cursive script, reading "Katie Turner", is written over a horizontal line.

Katie Turner

July 8, 1998

**ITS INC
1231 20TH STREET
GROUND FLOOR
WASHINGTON, DC 20036**

**JANICE MYLES
FEDERAL COMMUNICATIONS COMMISSION
COMMON CARRIER BUREAU
1919 M STREET RM 544
WASHINGTON DC 20544**

**IRWIN A POPOWSKY
CONSUMER ADVOCATE
OFFICE OF ATTORNEY GENERAL
1425 STRAWBERRY SQUARE
HARRISBURG PA 17120**

**ANTHONY J GENOVESI
LEGISLATIVE OFFICE BLDG
ROOM 456
ALBANY NY 12248-0001**

**CHARLES H HELEIN
GENERAL COUNSEL
HELEIN & ASSOCIATES
COUNSEL FOR AMERICAS
TELECOMMUNICATIONS ASSOC
8180 GREENSBORO DR STE 700
MCCLEAN VA 22102**

**KENNETH RUST
DIRECTOR
NYNEX GOVERNMENT AFFAIRS
1300 I ST STE 400 W
WASHINGTON DC 20005**

**SAUL FISHER
NYNEX TELEPHONE COMPANIES
1095 AVENUE OF THE AMERICAS
NEW YORK NY 10036**

**THEODORE CASE WHITEHOUSE
WILLKIE FARR & GALLAGHER
COUNSEL FOR ASSOCIATION OF DIRECTORY
PUBLISHERS
1155 21ST ST NW
WASHINGTON DC 20036**

**DAVID L MEIER
DIRECTOR
CINCINNATI BELL TELEPHONE
201 E FOURTH ST
CINCINNATI OH 45201-2301**

**DAVID A GROSS
AIRTOUCH COMMUNICATIONS INC
1818 N STREET NW STE 800
WASHINGTON DC 20036**

**ALBERT HALPRIN
HALPRIN TEMPLE GOODMAN & SUGRUE
COUNSEL FOR YELLOW PAGES PUBLISHERS
ASSOC
1100 NEW YORK AVE NW STE 650E
WASHINGTON DC 20005**

**KATHYRN MARIE KRAUSE
U S WEST INC
1020 19TH ST NW STE 700
WASHINGTON DC 20036**

**DANNY E ADAMS
KELLEY DRYE & WARREN LLP
1200 NINETEENTH ST NW STE 500
WASHINGTON DC 20036**

**MARK C ROSENBLUM
AT&T CORP
295 NORTH MAPLE AVE RM 3245I1
BASKING RIDGE NJ 07920**

**GLEN S RABIN
FEDERAL REGULATORY COUNSEL
ALLTEL TELEPHONE SERVICES
CORPORATION
655 15TH ST NW STE 200
WASHINGTON DC 20005**

**JUDITH ST LEDGER-ROTY
REED SMITH SHAW & MCCLAY
1301 K ST NW STE 1100 EAST TOWER
WASHINGTON DC 20005-3317**

**DENNIS C BROWN
BROWN AND SCHWANINGER
SMALL BUSINESS IN TELECOMMUNICATIONS
1835 K STREET NW STE 650
WASHINGTON DC 20006**

**CARL W NORTHROP
PAUL HASTINGS JANOFSKY & WALKER
COUNSEL FOR ARCH COMMUNICATIONS
GROUP
1299 PENNSYLVANIA AVE NW 10TH FL
WASHINGTON DC 20004-2400**

**LARRY SARJEANT
UNITED STATES TELEPHONE ASSOCIATION
1401 H ST NW STE 600
WASHINGTON DC 20005**

**ANDREW D LIPMAN
SWIDLER & BERLIN
COUNSEL FOR MFS COMMUNICATIONS CO
3000 K ST NW STE 300
WASHINGTON DC 20007**

**BRADLEY STILLMAN
COUNSEL FOR
CONSUMER FEDERATION OF AMERICA
1424 16TH ST NW SUITE 604
WASHINGTON DC 20036**

**CATHERINE R SLOAN
WORLD COM INC
d/b/a LDDS WORLD COM
1120 CONNECTICUT AVE NW
SUITE 400
WASHINGTON DC 20036**

**CHARLES C HUNTER
HUNTER & MOW PC
COUNSEL FOR TELECOMMUNICATIONS
RESELLERS ASSOCIATION
1620 I ST NW STE 701
WASHINGTON DC 20006**

**PETER ARTH, JR.
MARY MAC ADU
PEOPLE OF THE STATE OF CALIFORNIA AND
THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA
505 VAN NESS AVE
SAN FRANCISCO CA 94102**

**RANDOLPH J MAY
SUTHERLAND ASBILL & BRENNAN
COUNSEL FOR COMPUSERVE INC
1275 PENNSYLVANIA AVE NW
WASHINGTON DC 20004-2404**

**INTELCOM GROUP (USA) INC
CINDY Z SCHONHAUT
VICE PRESIDENT GOVERNMENT AFFAIRS
9605 EAST MAROON CIRCLE
ENGLEWOOD CO 80112**

**THE BELL ATLANTIC TELEPHONE
COMPANIES
LAWRENCE W KATZ
1320 NORTH COURT HOUSE ROAD
EIGHTH FLOOR
ARLINGTON VA 22201**

**AMERITECH
MICHAEL S PABIAN
2000 WEST AMERITECH CENTER DRIVE
RM 4H82
HOFFMAN ESTATES IL 60196**

**BELLSOUTH CORPORATION
M ROBERT SUTHERLAND
A KIRVEN GILBERT III
SUITE 1700
1155 PEACHTREE STREET NE
ATLANTA GA 30309-3610**

**AMERICAN PUBLIC COMMUNICATIONS
COUNCIL
ALBERT H KRAMER
ROBERT F ALDRICH
DICKSTEIN SHAPIRO & MORIN LLP
2101 L STREET NW
WASHINGTON DC 20554**

**MARK J GOLDEN
VICE PRESIDENT OF INDUSTRY AFFAIRS
PERSONAL COMMUNICATIONS
INDUSTRY ASSOCIATION
500 MONTGOMERY STREET
SUITE 700
ALEXANDRIA VA 22314-1561**

**JONATHAN E CANIS
REED SMITH SHAW & MCCLAY
1301 K STREET NW
SUITE 1100 EAST TOWER
WASHINGTON DC 20005**

**GTE SERVICE CORPORATION
GAIL L POLIVY
1850 M STREET NW
WASHINGTON DC 20036**

**GTE SERVICE CORPORATION
RICHARD MCKENNA
600 HIDDEN RIDGE
IRVING TEXAS 75015**

**CABLE & WIRELESS INC
ANN P MORTON
8219 LEESBURG PIKE
VIENNA VIRGINIA 22182**

**TELEPORT COMMUNICATIONS GROUP INC
TERESA MARRERO
SENIOR REGULATORY COUNSEL
ONE TELEPORT DRIVE SUITE 300
STATEN ISLAND NY 10310**

**SPRINT CORPORATION
JAY C KEITHLEY
LEON M KESTENBAUM
MICHAEL B FINGERHUT
1850 M STREET NW 11TH FLOOR
WASHINGTON DC 20036**

**MICHAEL J SHORTLEY III
FRONTIER CORPORATION
180 SOUTH CLINTON AVENUE
ROCHESTER NY 14646**

**EXCEL TELECOMMUNICATIONS INC
J CHRISTOPHER DANCE
VICE PRESIDENT LEGAL AFFAIRS
KERRY TASSOPOULOS
DIRECTOR OF GOVERNMENT AFFAIRS
9330 LBJ FREEWAY
SUITE 1220
DALLAS TEXAS 75243**

**THOMAS K CROWE
LAW OFFICES OF THOMAS K CROWE P.C.
COUNSEL FOR
EXCEL TELECOMMUNICATIONS INC
2300 M STREET NW
SUITE 800
WASHINGTON DC 20037**

**INFORMATION TECHNOLOGY ASSOCIATION
OF AMERICA
JOSEPH P MARKOSKI
MARC BEREJKA
SQUIRE SANDERS & DEMPSEY
1201 PENNSYLVANIA AVENUE NW
P O BOX 407
WASHINGTON DC 20044**

**MCI TELECOMMUNICATIONS CORPORATION
FRANK W KROGH
DONALD J ELARDO
1801 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20006**

**JOSEPH R ASSENZO
GENERAL ATTORNEY
FOR SPRINT SPECTRUM LP
d/b/a SPRINT PCS
4900 MAIN ST 12TH FLOOR
KANSAS CITY MO 64112**

**PHILIP L MALET
JAMES M TALENS
STEPTOE & JOHNSON LLP
COUNSEL FOR IRIDIUM NORTH AMERICA
1330 CONNECTICUT AVE NW
WASHINGTON DC 20036**

**DANNY E ADAMS
STEVEN A AUGUSTINO
KELLEY DRYE & WARREN LLP
COUNSEL FOR ALARM INDUSTRY
COMMUNICATIONS COMMITTEE
1200 NINETEENTH ST NW STE 500
WASHINGTON DC 20036**

**JONATHAN E CANIS
KELLEY DRYE & WARREN LLP
COUNSEL FOR INTERMEDIA
COMMUNICATIONS INC
1200 NINETEENTH ST NW STE 500
WASHINGTON DC 20036**

**MICHAEL F ALTSCHUL
VICE PRESIDENT GENERAL COUNSEL
CELLULAR TELECOMMUNICATIONS
INDUSTRY ASSOCIATION
1250 CONNECTICUT AVE NW STE 200
WASHINGTON DC 20036**

**WILLIAM L ROUGHTON JR
PRIMECO PERSONAL COMMUNICATIONS LP
601 13TH ST NW STE 320 SOUTH
WASHINGTON DC 20005**

**PETER M CONNOLLY
KOTEEN & NAFTALIN
UNITED STATES CELLULAR CORPORATION
1150 CONNECTICUT AVE NW
WASHINGTON DC 20036**

**JAMES J HALPERT
MARK J OCONNOR
PIPER & MARBURY LLP
1200 19TH ST NW
SEVENTH FLOOR
WASHINGTON DC 20036**

**CHERYL A TRITT
JAMES A CASEY
MORRISON & FOERSTER LLP
COUNSEL FOR 360° COMMUNICATIONS
COMPANY
2000 PENNSYLVANIA AVE NW STE 5500
WASHINGTON DC 20006-1888**

**STEPHEN G KRASKIN
KRASKIN LESSE & COSSON LLP
THE RURAL CELLULAR ASSOCIATION
2120 L STREET NW STE 520
WASHINGTON DC 20037**

**RAYMOND G BENDER JR
DOW LOHNES & ALBERTSON PLLC
1200 NEW HAMPSHIRE AVE NW
SUITE 800
WASHINGTON DC 20036**

**OFFICE OF CONSUMER ADVOCATES
C/O PHILIP MCCLELLAND
555 WALNUT STREET
FORUM PLACE FIFTH FLOOR
HARRISBURG PA 17101-1921**

**ROBERT W MCCAUSLAND
VICE PRESIDENT-REGULATORY AND
INTERCONNECTION
ALLEGIANCETELECOM INC
1950 N STEMMONS FREEWAY
SUITE 3026
DALLAS TX 75207**

**RAYMOND G BENDER JR
DOW LOHNES & ALBERTSON PLLC
1200 NEW HAMPSHIRE AVE NW
SUITE 800
COUNSEL FOR
VANGUARD CELLULAR SYSTEMS INC
WASHINGTON DC 20036**

**ROBERT HOGGARTH
SENIOR VICE PRESIDENT PAGING AND
MESSAGING
PERSONAL COMMUNICATIONS INDUSTRY
ASSOCIATION
500 MONTGOMERY STREET STE 700
ALEXANDRIA VA 22314-1561**

**PAMELA J RILEY
DAVID A GROSS
AIRTOUCH COMMUNICATIONS INC
1818 N STREET NW STE 800
WASHINGTON DC 20036**

**JAMES J HALPERT
MARK J OCONNOR
OMNIPOINT COMMUNICATIONS INC.
PIPER & MARBURY LLP
1200 19TH ST NW
SEVENTH FLOOR
WASHINGTON DC 20036**

**GLENN S RABIN
ALLTEL COMMUNICATIONS INC
655 15TH ST NW STE 220
WASHINGTON DC 20005**

**L MARIE GUILLORY
NATIONAL TELEPHONE COOPERATIVE
ASSOCIATION
2626 PENNSYLVANIA AVE NW
WASHINGTON DC 20037**

**S MARK TULLER
VICE PRESIDENT SECRETARY AND
GENERAL COUNSEL
BELL ATLANTIC MOBILE INC
180 WASHINGTON VALLEY ROAD
BEDMINSTER NJ 07921**

**G EDWARD EVANS
PRESIDENT AND CHIEF OPERATING
OFFICER
DOBSON CELLULAR SYSTEMS INC
13439 NORTH BROADWAY EXTENSION
OKLAHOMA CITY OK 73114**

**JEFFREY E SMITH
SENIOR VICE PRESIDENT AND
GENERAL COUNSEL
COMCAST CELLULAR COMMUNICATIONS INC
480 E SWEDESFORD ROAD
WAYNE PA 19087**

**BRAD E MUTSCHELKNAUS
STEVEN A AUGUSTINO
KELLEY DRYE & WARREN LLP
COUNSEL FOR LCI INTERNATIONAL
TELECOM CORP
1200 19TH ST NW STE 500
WASHINGTON DC 20036**

**FREDERICK M JOYCE
CHRISTINE MCLAUGHLIN
JOYCE & JACOBS
COUNSEL FOR METROCALL INC
1019 19TH ST NW
FOURTEENTH FLOOR - PH 2
WASHINGTON DC 20036**

**JUDITH ST LEDGER-ROTY
PAUL G MADISON
KELLEY DRYE & WARREN LLP
PAGING NETWORK INC
1200 19TH ST NW STE 500
WASHINGTON DC 20036**

**BENJAMIN H DICKENS JR
GERARD J DUFFY
BLOOSTON MORDKOFKY JACKSON &
DICKENS
COUNSEL FOR COMMNET CELLULAR INC
2120 L STREET NW STE 300
WASHINGTON DC 20037**

**MARGOT SMILEY HUMPHREY
KOTEEN & NAFTALIN LLP
COUNSEL FOR TDS TELECOMMUNICATIONS
CORPORATION
1150 CONNECTICUT AVE NW STE 1000
WASHINGTON DC 20036**

**ROBERT J AAMOTH
STEVEN A AUGUSTINO
KELLEY DRYE & WARREN LLP
COUNSEL FOR COMPETITIVE
TELECOMMUNICATIONS ASSOCIATION
1200 19TH ST NW STE 500
WASHINGTON DC 20036**

**JAMES C FALVEY
VICE PRESIDENT-REGULATORY AFFAIRS
E.SPIRE COMMUNICATIONS INC
131 NATIONAL BUSINESS PARKWAY
SUITE 100
ANNAPOLIS JUNCTION MD 20701**